PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request
DOC/NOAA/NMFS

2. OMB control number
a. 0648 - 0018
b. [ ] None

3. Type of information collection (*check one*)
a. [ ] New Collection
b. [✔] Revision of a currently approved collection
c. [ ] Extension of a currently approved collection
d. [ ] Reinstatement, without change, of a previously approved collection for which approval has expired
e. [ ] Reinstatement, with change, of a previously approved collection for which approval has expired
f. [ ] Existing collection in use without an OMB control number
For b-f, note Item A2 of Supporting Statement instructions

4. Type of review requested (*check one*)
a. [✔] Regular submission
b. [ ] Emergency - Approval requested by ___/___/___
c. [ ] Delegated

5. Small entities
Will this information collection have a significant economic impact on a substantial number of small entities? [ ] Yes [✔] No

6. Requested expiration date
a. [ ] Three years from approval date b. [✔] Other Specify: 10 / 01

7. Title Processed Products Family of Forms

8. Agency form number(s) (*if applicable*) NOAA Form 88-13, 88-13C

9. Keywords "fisheries, fishing vessels"

10. Abstract

This is a survey of seafood and industrial fishery processing firms. The form asks the respondent to supply annual volume and value of the processed fishery products and monthly employment figures. The data are used in economic analyses to estimate the capacity and extent of utilization of domestic harvest by U.S. fish processors. The data are necessary to carry out the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et.seq.) as amended. NMFS proposes that all sections of the survey be mandatory for dealers processing summer flounder, scup, black sea bass, Northeast multispecies, monkfish, Atlantic sea scallop, Atlantic mackerel, squid, butterfish, bluefish, or spiny dogfish.

11. Affected public (*Mark primary with "P" and all others that apply with "x"*)
a. ___ Individuals or households
b. P Business or other for-profit
c. ___ Not-for-profit institutions
d. ___ Farms
e. ___ Federal Government
f. ___ State, Local or Tribal Government

12. Obligation to respond (*check one*)
a. [ ] Voluntary
b. [ ] Required to obtain or retain benefits
c. [✔] Mandatory

13. Annual recordkeeping and reporting burden

a. Number of respondents	1,260
b. Total annual responses	1,340
1. Percentage of these responses collected electronically	0 %
c. Total annual hours requested	650
d. Current OMB inventory	621
e. Difference	49
f. Explanation of difference	
1. Program change	49
2. Adjustment	

14. Annual reporting and recordkeeping cost burden *(in thousands of dollars)*

a. Total annualized capital/startup costs	0
b. Total annual costs (O&M)	0
c. Total annualized cost requested	0
d. Current OMB inventory	0
e. Difference	0
f. Explanation of difference	
1. Program change	
2. Adjustment	

15. Purpose of information collection (*Mark primary with "P" and all others that apply with "X"*)
a. ___ Application for benefits
b. x Program evaluation
c. x General purpose statistics
d. ___ Audit
e. P Program planning or management
f. x Research
g. x Regulatory or compliance

16. Frequency of recordkeeping or reporting *(check all that apply)*
a. [ ] Recordkeeping
b. [ ] Third party disclosure
c. [✔] Reporting
1. [ ] On occasion 2. [ ] Weekly 3. [ ] Monthly
4. [✔] Quarterly 5. [ ] Semi-annually 6. [✔] Annually
7. [ ] Biennially 8. [ ] Other (describe) ______

17. Statistical methods
Does this information collection employ statistical methods
[ ] Yes [✔] No

18. Agency Contact (person who can best answer questions regarding the content of this submission)
Name: Steven J. Koplin/Kelley McGrath
Phone: 301-713-2328/978-281-9307

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

(a) It is necessary for the proper performance of agency functions;

(b) It avoids unnecessary duplication;

(c) It reduces burden on small entities;

(d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;

(e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;

(f) It indicates the retention period for recordkeeping requirements;

(g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):

- (i) Why the information is being collected;
- (ii) Use of information;
- (iii) Burden estimate;
- (iv) Nature of response (voluntary, required for a benefit, mandatory);
- (v) Nature and extent of confidentiality; and
- (vi) Need to display currently valid OMB control number;

(h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);

(i) It uses effective and efficient statistical survey methodology; and

(j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee	Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature Signed by A. Rosenberg, Deputy A.A., NMFS	Date 10/07/99
Signature of NOAA Clearance Officer	
Signature Signed by Richard Roberts, NOAA Clearance Officer	Date 11/18/99

SUPPORTING STATEMENT
Processed Products Family of Forms
OMB Control No. 0648-0018

A. JUSTIFICATION

1. Why is the information necessary?

NOAA Form 88-13 is used to collect annual information on seafood and industrial fishery processing plants. These data are required by the Secretary of Commerce in carrying out provisions of the Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801 et seq.), as amended. Each fishery management plan established under the Act must determine the estimated capacity by U.S. seafood processors for the managed fishery. Data from this survey are used in economic analyzes to estimate the capacity and extent of which U.S. fish processors, on an annual basis, will process that portion of the optimum yield harvested by domestic fishing vessels. Employment data are used in socioeconomic analyzes for determining potential impacts on processing employment due in part to management measures. NOAA Form 88-13c is used to collect monthly production of fish meal and oil. These data are needed by the Department of Commerce to report market and supply conditions and are used by industry to procure sufficient inputs to produce such products as feed, paint, and lubricants (13 U.S.C. 61 et seq.).

The information collected through all parts of the Annual Processed Products Report is a necessary part of the economic and social analyzes NMFS must perform when proposing and evaluating management actions affecting federally-managed fisheries in the northeast region. Many of the species under federal management are considered overfished and stocks have reached critically low levels. In order to manage these fisheries effectively and balance the needs of the resource and the industry members, NMFS must have available a comprehensive database that accurately represents the fishing industry, including the processing segment of the industry. If decisions affecting the fisheries are based on inadequate or incomplete data, the long term viability and economic yield from those fisheries, as well as the credibility of the fishery management process itself, are jeopardized.

Under current reporting regulations (50 CFR 648.7) for summer flounder, scup, black sea bass, Northeast (NE) multispecies, monkfish, Atlantic sea scallops, Atlantic mackerel, squid and butterfish, and proposed reporting regulations for bluefish and spiny dogfish, federally-permitted dealers must complete only the employment data section of the Annual Processed Products Report (Form 88-13); all other sections of the report are voluntary. While much of the pertinent information continues to be successfully collected on a voluntary basis, an increasing number of dealers required to complete only the employment data section of the form either fail or refuse to respond to the request for processing information. As additional fisheries come under federal management and adopt the existing reporting requirments, the number of non-reporting dealers will continue to increase, further hampering NMFS' management efforts. Therefore, in order to enhance the fishery management process by ensuring that a complete data set that accurately represents the seafood processing industry is available, NMFS has submitted a proposed rule to make completion of all sections of the Annual Processed Products Report mandatory for federally-permitted dealers. NOAA Form 88-13c is to remain as a voluntary submission.

This submission requests Office of Management and Budget(OMB) approval, under OMB Control No. 0648-0018, to make completion of the Annual Processed Products Report (Form 88-13) mandatory for federally-permitted dealers processing summer flounder, scup, black sea bass, NE multispecies, monkfish, Atlantic sea scallop, Atlantic mackerel, squid, butterfish, bluefish or spiny dogfish. The burden estimate for respondents is 30 minutes/response for the mandatory annual survey portion of this collection (Form 88-13) and 15 minutes/response for the voluntary fish meal and oil production portion of this collection (Form 88-13c).

2. How, and by whom, will the information be used?

The data on volume and value are used by NMFS and Regional Council economists to estimate processing capacity and to forecast and subsequently measure the economic impact of fishery management regulations on fish and shellfish supplies. The data are also used for calculating annual U.S. seafood consumption, determining value-added margins and consumer expenditures, and establishing negotiating positions on international trade by determining which seafood industries might be adversely affected by reducing or eliminating established tariffs. The employment data are used to analyze the seasonality of a specific fishery.

Data from the annual survey are reported in several publications, including Fisheries of the United States, Statistical Abstract of the United States, and Agricultural Statistics. As a member of the United Nations' FAO and the Organization for Economic Cooperation and Development, NMFS supplies aggregate data to these organizations.

The information collected through this family of forms is also used by other federal agencies. For instance, NMFS supports the International Trade Commission with their various trade investigations by supplying aggregate data on specific processed seafood items. The Office of Management and Budget annually requests information on the processing of seafood. The Customs Service, Department of the Treasury, establishes the annual tariff-rate quota for tuna fish described in item 1604.14.20 of the Harmonized Tariff Schedule of the United States based on the U.S. canned tuna production for the preceding calendar year (19 U.S.C. 3007). Failure to collect these data would prevent the Secretary of Commerce from meeting the statutory obligations under the Act. It would also prevent the Customs Service from establishing the annual tariff-rate quota on canned tuna.

3. Can improved technology reduce the burden?

There are no electronic reporting capabilities at this time as the diversity of the industry precludes the use of electronic reporting. The annual survey form (88-13) is tailored for previous respondents to utilize existing information to preprint the form with addressing and product information. These reports only need to be updated by the respondent to indicate current year production and any change in product line.

Aggregate data are published in Fisheries of the United States and Fish Meal and Oil reports. Both of these documents are available on the web at http://www.st.nmfs.gov/st1/

4. Describe any duplication of effort

NMFS continues to work with Bureau of the Census to reduce duplication and unnecessary reporting. Although the Census includes the seafood industry in its five-year descriptive surveys, the level of detail is more aggregated than NMFS data and represents a survey of capital investment and value-added. These data are not part of NMFS effort.

The Bureau of Labor Statistics (BLS) collects monthly employment data at the four digit Standard Industrial Classification code. Although these data are used to verify NMFS-collected data, the information provided by the BLS is too aggregated to utilize at the species specific level and can only be used for general comparisons.

5. How are impacts on small businesses minimized?

The survey has attempted to minimize response time and continues to collect only that information normally kept under standard business practices.

6. Could the collection be conducted less frequently or not at all?

Less than annual collection for Form 88-13 would prevent NMFS from meeting statutory obligations as described above at #1 and #2. See #7 below for 88-13c.

7. Explain if request is not consistent with 5 CFR 1320.6 guidelines.

Form 8813c is used to obtain monthly data on processed production of fish meal and oil for reporting in the Fishery Market News series. These data are utilized by NMFS, state fishery agencies and industry in forecasting market needs. Forms are mailed to respondents on a monthly basis during the fishing season. The seasonality (four-five months) of the fisheries supporting the processing of meal and oil precludes reducing the reporting time frame to less than monthly. Companies reduce employment at season closure to primary maintenance needs. Reducing the reporting time frame to quarterly would result in a loss of data, thus jeopardizing the statistics.

8. Describe efforts to get comments from outside the agency.

Because this collection is being revised as part of a proposed rulemaking, no separate Federal Register notice was published. Direct feedback from respondents is the primary source for changes in the survey form from persons outside the agency.

9. Explain any decision to provide any payment or gift to respondents.

No payments or gifts are made to respondents.

10. Describe any assurances of confidentiality.

These surveys provide a statutory pledge of confidentiality to the respondents under the Magnuson-Stevens Act and the Trade Secrets Act. The data collection, handling, and storage of this data conform with NOAA Administrative Order 216-100.

11. Provide justification for any questions of a sensitive nature.
No questions of a "sensitive nature" are asked.

12. Provide estimates of the burden of the collection on the public.
Direct feedback from respondents provides the estimate for average response time. The response time was evaluated based on the following:

Table 1.

Calculation of Public and Federal Cost Estimates							
Form Number	No. of Respondents	Responses / Year	Total Annual Responses	Avg. Response Time (Hrs)	Total Response Hours	Annual Cost/ Public	Annual Cost/ Federal
88-13	1, 260	1	1, 260	0.50	630	$12, 600	$3, 525
88-13c	20	4	80	0.25	20	$ 400	$ 219
TOTAL	1, 260*	N/A	1, 340	N/A	650	$13, 000	$3, 744

*Exclusive of duplication.

As indicated in Table 1, the total annual reporting burden associated with this collection is estimated at 650 hours. This burden assumes a response time of 30 minutes for form 88-13 and 15 minutes for 88-13c. Because the information being provided by respondents is generally collected in the normal course of business, the reporting burden reflects only the collection of the additional information required to complete the information on the form and to mail the forms to NMFS. The reporting costs to the public are based on a respondent wage of $20/burden hour.

13. Provide estimates of the cost burden of the collection to the public.
(a) There are no capital or start-up costs to the public for this collection since no special equipment is needed and forms are provided to respondents at no cost.
(b) There are no costs to respondents associated with this collection, other than those shown in Item 12. The forms provided to respondents include pre-addressed, postage-paid envelopes.

14. Provide estimates of the cost burden of the collection on the Federal government.

Estimated total cost to government:	$3, 744
Estimated printing cost (1,340 forms at $.04 each):	$ 53
Estimated mailing cost (1,340 forms at $.64 each):	$ 857
Estimated staff support (223 hours at $12.71/hour-GS7/1):	$2, 834

15. Explain any program changes or adjustments in Items 13 and 14 of the OMB 83-I.
Item 13 of the 83-I shows an increase of 45 respondents and 29 burden hours, due to a programmatic change. The increase in burden hours is a result of the implementation of new FMPs for monkfish, bluefish and spiny dogfish. Dealers permitted in any of these fisheries will be subject to the same recordkeeping and reporting requirements that currently exist for other federal permit holders, which includes completion of the Annual Processed Products Report. It is anticipated that the implementation of the plans will result in approximately 15 new dogfish dealers, 15 new monkfish dealers and 37 new bluefish dealers. However, because some dealers

will be issued a permit for more than one of these fisheries, the actual number of new dealers is estimated to be approximately 45. These numbers are estimates, and will be modified if the actual number of respondents differs significantly from these estimates.

16. Describe plans for any statistical use of the information.
Data from the annual survey are reported in Fisheries of the United States, Statistical Abstract of the United States, and Agricultural Statistics. As a member of the United Nations' FAO and the Organization for Economic Cooperation and Development, NMFS supplies aggregate data to these organizations for publication.

17. Explain why an expiration date should not be displayed.
Not Applicable

18. Explain exceptions to the certification statement in Item 19 of OMB 83-I.
The Processed Product Family of Forms complies with 5 CFR 1320.9

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS
No statistical methods are employed in the information collection procedures.